

Michigan District Judges Association



September 30, 2009

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Chief Justice Marilyn Kelly
Michigan Supreme Court
P.O. Box 30052
Lansing, Michigan 48909

RE: ADM File 2009-11

Dear Chief Justice Kelly:

This proposal seeks to amend MCR 6.302 with respect to the taking of guilty pleas so as to require that all plea discussions are to take place in open court and on the record, and also to eliminate the variation from a prosecutor's plea recommendation as a basis for withdrawing a plea.

This proposal was discussed by the Michigan District Judges Association at its September executive board meeting. The MDJA board opposes this proposed amendment. The board is of the opinion that the negotiation process is better served outside of the courtroom, and such negotiation in court and on the record would be an inefficient use of judicial time and resources.

As always, if you have any questions, please contact me.

Sincerely,

Richard Hammer
Chairperson, Rules Committee
Michigan District Judges Association

RH/dw

C: Corbin R. Davis, Clerk of the Michigan Supreme Court
Hon. Susan Moiseev, MDJA President
Anne Boomer, Administrative Counsel